

HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SHRI JUSTICE G. BHAVANI PRASAD

W.A.M.P No. 545 OF 2006

AND

WRIT APPEAL No. 283 OF 2006

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Between:

Hyderabad Security Printing Press Employees

Union (B-1175), rep. by its General Secretary,

Mint Compound, Saifabad, Hyderabad

.....Appellant

And

Hyderabad Security Printing Press Mazdoor Union,

Mint Compound, Saifabad, Hyderabad rep. by

Sri B. Odelu, S/o B. Puttaiah, aged about 48 years,

Occ: Examiner and Final counter and four others

.....Respondents

:: ORDER ::

Counsel for the Appellant : Shri K. Vasudeva Reddy

Counsel for Respondent No.1 : Shri Siva

Counsel for Respondent Nos.2 to 5 : Shri Rajasekhar Reddy,

Assistant Solicitor General

Dated: 14-03-2006

Per Shri G.S. Singhvi, CJ

Feeling dissatisfied with order dated 23-02-2006 passed by the learned Single Judge, Hyderabad Security Printing Press Employees Union (respondent No.5 in the main writ petition) has filed this appeal. It has also filed an application for dispensing with the filing of certified copy of the order under challenge.

Insofar as the appellant's request for dispensing with filing of certified copy of order dated 23-02-2006 is concerned, we do not see any reason to reject the same because typed copy of that order has been filed along with the appeal. Hence, we accept the request of the appellant and dispense with the filing of certified copy.

We have heard learned counsel in support of the appellant's challenge to order dated 23-02-2006 passed by the learned Single Judge in W.P.M.P No. 24181

of 2005 whereby respondent Nos.1 to 3 were directed to conduct verification of the members of the majority union by secret ballot as per the decision of the Central Labour Commissioner.

A perusal of the record shows that notice of W.P.M.P No. 24181 of 2005 was duly served on the non-petitioners including the present appellant but no counter was filed by either of them to contest the said application. Therefore, after taking into consideration the averments contained in the application and hearing the counsel for the parties, the learned Single Judge passed the impugned order.

In our opinion, the order under challenge is most innocuous and does not suffer from any jurisdictional infirmity or error of law requiring interference by the Appeal Bench, more so, because the appellant has failed to show that it would suffer any prejudice by verification of the membership for the purpose of determination of the majority union or that this exercise would violate any of its legal or fundamental right.

For the reasons mentioned above, the appeal is dismissed.

However, it is made clear that the exercise of verification undertaken in furtherance of the order of the learned Single Judge shall be subject to final adjudication of the writ petition.

G.S. SINGHVI, CJ

G. BHAVANI PRASAD, J

14-03-2006

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